Remarks

Claims 1-36 are pending. We thank the Examiner for the indication of allowability of claims 3-10, 19-26 and 28-35. Claims 1, 7, 27, and 36 have been amended to more clearly define the claimed subject matter, with no changes to the scope of the claim. However, we have not rewritten the allowable claims in independent form at this time as we respectfully traverse the rejection to the independent claims as follows.

The Examiner has rejected claims 1-36 under 35 U.S.C. 112 second paragraph as being indefinite as the phrase "a stream of samples of electrical signal" is unclear or undefined in claims 1-17, 28 and 36. Applicant respectfully disagrees. We respectfully submit that the claims are to be considered from the perspective of a person skilled in the art and a person skilled in the art would understand this terminology. Accordingly, we respectfully submit that no amendment is necessary for patentability. However, simply for the purpose of making the claim read clearer, we have amended claims 1, 17, 28 and 36 to change the phrase to read "a stream of samples sampled from an electrical signal".

Claims 1, 2, 17, 18 and 36 are rejected under 35 U.S.C. 102(e) as being anticipated by Van Schyndel. We respectfully disagree. We respectfully submit that the rejection has failed to establish how the Van Schyndel reference teaches each element of the claim. In particular neither Figure 2, nor the cited passages cited in the rejection, teach evaluating a non–linear function of each received sample, thereby to produce a stream of processed samples. Indeed, the cited passages don't even mention the term '"sample". Accordingly we respectfully submit that the rejection fails to establish *prima facie* case of anticipation. Furthermore, in order to avoid any future obviousness rejection based on this 102(e) reference, we state for the record that both the Van Schyndel reference and the present invention were commonly owned as of the date of invention.

Claims 1, 17, 27 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bessios in view of Gitlin. We respectfully submit that the rejection is deficient and should be withdrawn as the Examiner has failed to establish a *prima facie* case of obviousness. In particular, and without limiting the generality of the forgoing, neither reference teaches evaluating a non-linear function of each received sample, thereby to produce a stream of

processed samples. Examiner admits that Bessios does not teach this. Furthermore, the Examiner alledges that Gitlin teaches such an element. However, it does not. Gitlin teaches performing a non-linear canceling operation on the signal, but does not teach evaluating a non-linear function of each received sample and in any event it certainly does not teach evaluating a non-linear function of each received sample to produce a stream of processed samples as claimed. Accordingly, we respectfully submit that even if the two references can be combined (which is not admitted), the combination of the references simply fails to teach the claimed subject matter.

Accordingly we respectfully submit that the rejected claims are all allowable. Accordingly a Notice of Allowance is hereby requested.

No fee is believed due for this submission. However, Applicant authorizes the Commissioner to debit any required fee from Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP. The Commissioner is further authorized to debit any additional amount required, and to credit any overpayment to the above-noted deposit account.

Respectfully submitted,

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